

Gazette Extraordinary No. 29 dated 27th March 1957.

Law Department

NOTIFICATION

LD(b)2-6534/56/Law.

Dated, Trivandrum, the 27th March 1957.

The following President's Act enacted on the 25th March, 1957 is published for general information.

By order of the Governor,
T. R. BALAKRISHNA IYER,
Law Secretary.

THE TRAVANCORE-COCHIN INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) ACT, 1957 (3 of 1957)

Enacted by the President in the Eighth Year of the
Republic of India.

An ACT

*further to amend the Travancore-Cochin Interpretation and
General Clauses Act, 1125.*

In exercise of the powers conferred by section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1956 (75 of 1956), the President is pleased to enact as follows:—

1. **Short title.**—This Act may be called the Travancore-Cochin Interpretation and General Clauses (Amendment) Act, 1957.

2. **Amendment of section 1.**—In sub-section (1) of section 1 of the Travancore-Cochin Interpretation and General Clauses Act, 1125 (VII of 1125) (hereinafter referred to as the principal Act), the word "Travancore-Cochin" shall be omitted.

3. **Amendment of section 2.**—In section 2 of the principal Act,—

(i) for clause (3), the following clause shall be substituted, namely:—

"(3) 'Act' shall mean a Proclamation or Act of Travancore or Cochin, an Act or Ordinance of Travancore-Cochin, an Act passed by the Legislature of the State of Kerala, an Ordinance promulgated by the Governor under article 213 of the Constitution or, where with respect to the State of Travancore-Cochin or Kerala the power to make laws is vested in the President or other authority under sub-clause (a) of clause (1) of article 357 of the Constitution, any law made in exercise of such power;"

(ii) in clause (10), the words "an Ordinance and a Proclamation" shall be omitted;

(iii) for clause (13), the following clause shall be substituted, namely:—

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"(13) 'Gazette' or 'Kerala Government Gazette' shall mean the Gazette published by or under the authority of the Government;"

(iv) for clause (15), the following clause shall be substituted, namely:—

"(15) 'Government', 'the Government' or 'State Government'—

(a) as respects anything done before the commencement of the Constitution, shall mean the Government of Travancore or Cochin or Travancore-Cochin, as the case may be;

(b) as respects anything done after the commencement of the Constitution and before the commencement of the Constitution (Seventh Amendment) Act, 1956, shall mean the Government of the State of Travancore-Cochin; and

(c) as respects anything done or to be done after the commencement of the Constitution (Seventh Amendment) Act, 1956, shall mean the Government of the State of Kerala;

and shall, in relation to functions entrusted under article 258A of the Constitution to the Government of India, include the Central Government acting within the scope of the authority given to it under that article;"

(v) clause (16) shall be omitted;

(vi) for clause (30), the following clause shall be substituted, namely:—

"(30) 'registered', used with reference to a document, shall mean registered in India under the law for the time being in force for the registration of documents;"

4. **Amendment of section 3.**—In section 3 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Where any Act is not expressed to come into operation on a particular day, then it shall come into operation on the day on which the Act is first published in the Gazette after it receives the assent of the Rajpramukh, the Governor or the President, as the case may be.

Explanation:—This sub-section shall have effect—

(a) in relation to an Ordinance promulgated by the Governor, as if for the words 'after it receives the assent of the Rajpramukh, the Governor or the President, as the case may be', the words 'after it is promulgated by the Governor' were substituted; and

(b) in relation to a law made by the President or other authority in exercise of the power vested under sub-clause (a) of clause (1) of article 357 of the Constitution, as if for the words 'after it receives the

assent of the Rajpramukh, the Governor or the President, as the case may be, the words 'after it is made by the President or other authority' were substituted."

RAJENDRA PRASAD,
President.

Reasons for the enactment

The Travancore-cochin Interpretation and General Clauses Act, 1125 (VII of 1125), applies to the interpretation of enactments of Travancore, Cochin and Travancore-Cochin. The interpretation of Madras enactments in force in the Malabar district is, however, governed by the Madras General Clauses Act, 1867 (Madras Act I of 1867), and the Madras General Clauses Act, 1891 (Madras Act I of 1891). It is considered that there should be some general provisions for the interpretation of the enactments of Kerala and that the Travancore-Cochin Interpretation and General Clauses Act, 1125, may be amended suitably for this purpose. A few other amendments in this Act have also become necessary with the reorganisation of States. The Travancore-Cochin Interpretation and General Clauses (Amendment) Act, 1957, gives effect to these objects.

2. The Committee constituted under the proviso to subsection (2) of section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1956 (75 of 1956), has approved the enactment of this measure.

A. V. PAI,
*Secy. to the Govt. of India,
Ministry of Home Affairs.*
